



Order Filed on April 12, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Attorneys for Rushmore Loan Management Services,
LLC as servicer for U.S. Bank National Association,
not in its individual capacity but solely as trustee for
RMTP Trust, Series 2021 Cottage-TT-V

In Re:

Justice Watts
aka Jerome Watts
dba Two Kings Trucking LLC,

Debtor

Case No.: 19-28370-JNP

Chapter: 13

Hearing Date: February 7, 2023

Hon. Judge: Andrew B. Altenburg, Jr.

CONSENT ORDER RESOLVING CERTIFICATION OF DEFAULT

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby **ORDERED**.

DATED: April 12, 2023

A handwritten signature in dark ink, appearing to read "J. Poslusny", is written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Applicant: Rushmore Loan Management Services, LLC as servicer for U.S. Bank National Association, not in its individual capacity but solely as trustee for RMTP Trust, Series 2021 Cottage-TT-V
Applicant's Counsel: Friedman Vartolo LLP
Debtor's Counsel: Robert Manchel, Esquire
Property (Collateral): 100 Golden Meadow Ln, Sicklerville, NJ 08081

For good cause shown, it is **ORDERED** that Applicant's Certification is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is due for 9 months, from 07/01/2022 to 03/01/2023.
- ☒ The Debtor is due for 6 payments at \$3,141.81 per month.
- ☒ The Debtor is due for 3 payments at \$3,242.73 per month.
- ☒ The Debtor is due for \$350.00 in attorney's fees and costs.
- ☒ Applicant acknowledges suspense funds in the amount of \$3,051.31.

Total Arrearages Due: \$25,877.74

2. Debtor must cure all post-petition arrearages, as follows:

- 3. ☒ Immediate payment was made in the amount of \$12,150.00 on February 16, 2023.
- 4. ☒ Beginning on April 1, 2023 regular monthly mortgage payments shall continue to be made.
- 5. ☒ Beginning on April 15, 2023 additional monthly cure payments shall be made in the amount of \$2,287.96 for 5 months.
- 6. ☒ Debtors shall tender an additional monthly cure payment of \$2,287.94 on September 15, 2023.
- 7. ☐ The amount of _____ shall be capitalized in the debtor's Chapter 13 plan. Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within 10 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly.

8. Payments to the Secured Creditor shall be made to the following address:

Payments: Rushmore Loan Management Services, LLC
P.O. Box 52708
Irvine, CA 92619-2708

9. In the event of default:

☒ Should the Debtor fail to make any of the above captioned payments, if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than thirty (30) days late counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and Debtor's attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ In the event the Debtor converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and Debtor's attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and Debtor's attorney and the court shall enter an Order granting relief from the Automatic Stay

10. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of \$350.00 and costs of \$0.00.

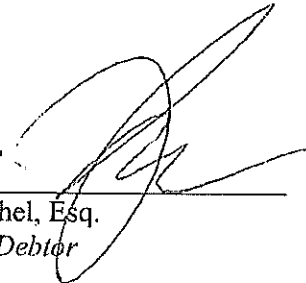
The fees and costs are payable:

- ☒ Attorney's fees and costs have been included in the Consent Order.
- ☐ Through the Chapter 13 plan. The fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid

as an administrative claim.

- ☐ To the Secured Creditor within _____ days
- ☐ Attorney's fees are not awarded.
- ☐ Movant reserves its right to file a Post-Petition Fee Notice for fees and costs incurred in connection with the Motion for Relief.

The undersigned hereby consent to the form and entry of the foregoing order.

4/4/23 

Robert Manchel, Esq.
Attorney for Debtor

/s/ Jason Schwartz, Esq.
Jason Schwartz, Esq.
Attorney for Secured Creditor